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UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEVADA

In re: MELANI SCHULTE and
WILLIAM SCHULTE,

Case No.: 09-29123-BAM

Chapter 11

Jointly Administered with:

2704 SATTLEY LLC,
HOT ENDEAVOR LLC,
1341 MINUET LLC,
1708 PLATO PICO LLC,
2228 WARM WALNUT LLC,
9425 VALLEY HILLS LLC,
9500 ASPEN GLOW LLC,
5218 MISTY MORNING LLC,
CHERISH LLC,
SABRECO Inc.,
KEEP SAFE LLC

09-27238-BAM
09-27909-BAM
09-27910-BAM
09-27911-BAM
09-27912-BAM
09-27913-BAM
09-27914-BAM
09-27916-BAM
09-28513-BAM
09-31584-BAM
09-31585-BAM

**DECLARATION OF CITIMORTGAGE,
INC. IN SUPPORT OF RESPONSE TO
DEBTOR'S AMENDED MOTION FOR
CONTEMPT**

I, Michael Gallo, declare:

1. I am over 18 years of age and am authorized as a Vice President by CitiMortgage, Inc. ("Citi") to make this declaration regarding the loan described below (the "Subject Loan" or "Account"). If called to testify in this matter, I would testify under oath as to the following:

1 2. In such capacity, I have access to the books and records regarding the Subject Loan,
2 including the servicing records and copies of the applicable Subject Loan documents. I have
3 personally reviewed these records as they relate to the Subject Loan and provide the herein
4 testimony based on knowledge I have gained from the records.

5 3. I have personal knowledge regarding the manner in which these business records
6 are created, kept, and maintained. The records, including computer records relating to the servicing
7 of the Subject Loan, are made at or near the time of the occurrence of the matters set forth in such
8 records, by a representative with knowledge of the acts or events recorded. Such records are
9 obtained, kept, and maintained in the regular course of business. Citi relies on such records in the
10 ordinary course of its business. The testimony provided herein is based on the business records
11 regarding the Subject Loan and the knowledge I have gained from my review of these business
12 records.

13 4. According to the aforementioned books and records, the Subject Loan is evidenced
14 by a promissory note executed by Edward Wendell Porta and Patricia Porta in the principal sum
15 of \$126,056.00 (the "Note"). The Note reflects it was specially indorsed to Citi. Subsequently,
16 William Schulte and Melani Schulte executed an Assumption Agreement Creating Liability to the
17 Holder of the Note. The Note is secured by a deed of trust (the "Deed of Trust") encumbering the
18 real property located at 9500 Aspen Glow Drive, Las Vegas, NV 89134 ("Property"). The Deed
19 of Trust was assigned to Citi.

20 5. According to Citi's records, Citi updated its system to reflect the modification of
21 the Subject Loan in the Debtor's Confirmed Plan. Specifically, Citi's records reflected a secured
22 claim of \$94,646.23 amortized over thirty (30) years at 5.25% interest per annum with Principal
23 and Interest Payments of \$522.64 commencing March 1, 2011, plus escrow payments for taxes
24 and insurance. Citi verified completion of system updates to reflect the terms of the Confirmed
25 Plan. Citi is currently in compliance with the Confirmation Order from the First Case.

26 6. The Subject Loan reflected a default based on the Debtor's failure to make all
27 required Principal, Interest, and Escrow Payments under the Confirmed Plan.
28

8. Citi did not willfully violate the terms of the Confirmation Order, Discharge Order, Bankruptcy Code, or any other Court order. Citi did not act in bad faith and believes it is in compliance with the terms of the Debtor's Confirmed Plan.

Executed this 1st day of OCTOBER, 2020, at UPAUN, MISSOURI.

MICHAEL GAU, VP
(Name and Title of Declarant)